

# WHY LAWYERS NEED E-MAIL

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Electronic information transfer offers lawyers, in the day-to-day practice of their profession, obvious practical benefits. It is strange, therefore, that we have been among the last of the professions to embark on the "information superhighway". Perhaps this is partly a result of lawyers' natural resistance to change, and partly a result of our fear of new technologies which we do not fully understand

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While it is too soon to anticipate whether e-mail will ever completely replace facsimiles, this much may be confidently be predicted: within three years, and probably less, most Queensland lawyers will be using e-mail as a Regular means of communication, at least as much as – and probably more than - they use facsimile transmissions.

What is e-mail? Very simply, e-mail is a system for transferring information from one computer to another. Whereas DX and ordinary post (which computer types refer to as "snail mail") transfer information in "hard copy", and facsimile machines transfer information in the form of digitalised photographic images, e-mail transfers information in the form of computer-readable binary codes...

### Advantages of e-mail

**Speed:** The best facsimile machines on the market transmit documents at speeds of about two A4 pages per minute. As already mentioned, a computer equipped with the fastest available modem can transmit documents at a speed of about 40 pages per minute.

Transmission by e-mail is not, however, instantaneous. When you send an e-mail from your computer, it travels first to your service provider's computer; then to the



addressee's service provider; and then, ultimately, to the addressee. It sometimes happens that the sender's service provider does not have a direct link with the recipient's service provider, so that the message must be channelled through a common connection with a "third party" service provider. Although all of this occurs very quickly, it may take half an hour or longer for the message to reach the addressee's "mail box" in the computer of the addressee's service provider. However, something like 95% of all e-mail messages are delivered to the addressee's "mail box" within 20 seconds.

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**Cost:** While it may therefore take slightly longer for an e-mail message to reach its destination than a facsimile message, actual transmission times for sending or

receiving an e-mail message are much faster than transmission times for sending or receiving a facsimile. And in any event, to send an email anywhere in the world, you need only make a local telephone call to your service provider. For those reasons, e-mail transmissions are much cheaper than facsimile transmissions. That is particularly so in the case of lengthy documents, and especially when lengthy documents rife being sent overseas. To send a 100-page document by fax to an overseas destination will ordinarily involve an ISD call taking 20 minutes or longer. The same document will take less than three minutes to send by e-mail, involving only a local telephone call.

There is, of course, the added cost of the service provider's fee. But those fees have reduced dramatically in recent months. The service provider used by the contributor of this article ("The Hub") has a range of prices, starting with \$10 per month for 6 hours' usage, and going up to \$60 per month or (\$480 per year) for 80 hours' usage per month. This is remarkably inexpensive when you consider that - if your modem has a baud rate of 28,800 bps - you can transmit something like 15,000 pages of text in six hours' "on-line" for only \$10.

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**Security:** ... Some people are concerned that, once their computers are connected to the Internet, it will be possible for "hackers" to get into their computers and read or download confidential material. That is pure science fiction. Computer hackers do exist, but they can only work with computers which have a permanent connection to the Internet, or which are set up automatically to answer incoming calls via a modem. Generally, hackers use their talents on the computers of big corporations, government bodies and educational institutions which maintain permanent connections to the Internet - which operate, in effect, as their own service providers.

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**Reliability:** E-mail transmissions are no less reliable than facsimile transmissions, and in one respect are much more reliable.

Unless a fax is sent directly from a computer, it depends on "hard copy" being fed into the transmitting fax machine. Common experience shows that this system is not perfect, as pages are frequently missed. It is quite impossible to miss any part of an e-mail transmission.

The only real problem concerning reliability of e-mail transmission is in ensuring the correct address of the recipient, which is rather like dialling the correct number on your fax machine.

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**Versatility:** The great benefit of e-mail, as compared with fax, the ability to send a working file to the recipient, which the recipient can then modify on his or her own computer. The advantages of this may be self-evident, but a few specific examples should be mentioned.

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E-mail also provides an invaluable resource for a solicitor who is absent from his or her office. With a lap-top computer and a modem, the solicitor can receive a document prepared in the office; can review that document "on screen" or, if desired, print out a copy; can make any necessary alterations; and can then re-transmit the document to his or her office. By this means, a solicitor who is doing business in New York or London - or one who is holidaying in Fiji or the Caribbean - can check and correct correspondence and other draft documents as simply as if the solicitor was sitting in his or her office.

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#### **Disadvantages of email**

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**Cost:** As already observed, e-mailing documents can work out to be very much cheaper than faxing documents, if the system is used properly. The only risk is that cost can be increased enormously if one remains "logged on" to one's service provider longer than is necessary.

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**Original documents:** It seems unlikely that e-mail will ever replace facsimile transmission entirely. One reason for that is that you can fax an original document (including signed documents), a document which is handwritten, plans and drawings, and even photographs. The technology already exists by which such documents can be "scanned" into your computer, and then e-mailed. Even high quality colour photographs can be scanned in a format known as "gif" or "jpeg" and sent anywhere in the world. But at the present time, that technology is too expensive for practical purposes.

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**Computer viruses:** It is possible for a computer virus to be transmitted via e-mail; but it is very unlikely.

A computer virus (for the uninitiated) is a type of computer programme which, once it has infected your computer, can interfere with the computer's operation, destroy information recorded on your computer, and do a variety of other very undesirable things.

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The risk of contracting a computer virus by e-mail is relatively small. Most viruses attach themselves either to "executable" or "zipped" files - that is to say, files which have file names ending with the abbreviation ".exe" or ".zip", which contain software programmes. It is very unusual for a virus to be contained in a data file, such as a file comprising a document prepared on a word processor.

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The practical reality is, however, that you are very unlikely to contract a computer virus merely from receiving e-mail transmissions. If that is all you use your modem for, there is a very high probability that you will never be infected. And if your system has a good virus-protection programme installed, you can be almost certain that you will never have a problem.



### Internet access:

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One problem is that the amount of time spent "on line" when using a "Web browser" - when "surfing the 'Net", as it is called - is very much longer than the amount of time required to send or receive e-mail. Whereas it may take only a few seconds to send or receive an e-mail message, it is not unusual to spend many minutes, or even hours, searching for and downloading relevant information from the Internet.

**Conclusion:** E-mail can save lawyers time and money, and can increase their productive efficiency. For those reasons alone, it is inevitable that e-mail will - in the near future - become a standard method by which lawyers communicate with one another...

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By the dawn of the new century, - and perhaps sooner - a legal practitioner who does not have e-mail facilities will be as isolated and out-of-touch as is a legal practitioner today who does not have access to a facsimile machine.